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1951 K **File No.** Agrl. Prod Mkts II
51 (M).

Legal Dept.

BBRANCH

Subject:— Notifications under the Bombay Agricultural Produce Markets Act, 1939

File No. Agrl. Prod. Markets II/51 (M).

Gen. 101.

453-B

Office of the R.L.A.

Under sub-section (3) of section 6 of the Act, every member of a market committee elected or nominated shall hold office for a term of three years. The term is to run from the date of the first general meeting of the committee. This provision was sepcifically inserted by the Bombay Act No. LVII of 1948. The Collector of Broach has wrongly published the names of three nominated persons even though in fact they were not so nominated. Government however has no objection to nominate the said three persons on the Committee. In view of the above provisions and in the peculiar circumstances of this case the members may be nominated with retrospective effect.

2. A revised draft notification is sent herewith.

Sd/- J.R.Dhurandhar

O.C. 6/4

Remembrancer of Legal Affairs.

U.R, to D.D. No. 5671, dated the 9th April 1951

Mjr/17/6

4 Cs.

Office of the R.L.A.

The proposal in the present case is to exclude certain villages from the market area included in a notification issued under section 3 of the Bombay Agricultural Produce Markets Act, 1939, and to include certain other villages in the area. The provisions of sub-section (4) of section 4 of the Act provide for the issue of a notification if the modification of a principal notification under section 3 in respect of an area or in respect of an agricultural produce is intended. The only obligation is that such a notification is to be issued subject to the provisions of section3 (The reference to section 2 in section 4(4) of the Act printed in volume II of the Bombay Code is a misprint and it being corrected). It means that a preliminary notification calling for objections is to be issued first and then a final notification is to be published.

2. The reference to section 4(4) in the Legal Department draft notification is correct. The provision for calling for objections is also added at the end as required by law.

Sd/- J.R.Dhurandhar

o.c. 24/4

Remembrancer of Legal Affairs.

U.R. to D.D. No. 6340,,dated the 25th April 1951.

Mjr/27/6

4 Cs.

Office of the R.L.A.

In view of the definition of the expression "Market yard" inserted in the Bombay Agricultural produce Markets Act, 1939 itself, by Bom. XXVI of 1951, rules 2(x) and 51(a) of the Bombay Agricultural Produce Markets Rules, 1941 have become redundant and should be deleted. The expression will have the same meaning in the Rules as it has in the Act. It will be necessary to re-notify all market yards in view of the new definition inserted in the Act; old market yards will not be yards declared under the Act.

Sd/- J.R.Dhurandhar

O.C.

6/11

Remembrancer of Legal Affairs.

U.R. to D.D. No. 17583, dated the

6th November 1951.

Mjr/27/6

4 Cs.